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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff

v.

MATTHEW WADE BEASLEY, et al.,

Defendants

THE JUDD IRREVOCABLE TRUST; PAJ  
CONSULTING INC, et al.,

Relief Defendants

Case No.: 2:22-cv-00612-CDS-EJY

**ORDER APPROVING PLAINTIFF  
SECURITIES AND EXCHANGE  
COMMISSION'S, RECEIVER'S,  
AND DEFENDANT SETH  
JOHNSON'S STIPULATION  
CONCERNING RELEASING LIS  
PENDENS**

[ECF No. 702]

1       **WHEREAS**, on June 29, 2022, Plaintiff Securities and Exchange Commission (“SEC”,  
2 “Commission”, or “Plaintiff”) filed its Amended Complaint in this matter, alleging violations of  
3 the registration and/or antifraud provisions of the federal securities laws by Defendants, and the  
4 receipt of ill-gotten proceeds of such violations by Relief Defendants. (Dkt. No. 118.)

5       **WHEREAS**, on June 29, 2022, the Commission filed a Motion to Amend Preliminary  
6 Injunction Order to extend the existing preliminary injunctive relief and asset freeze to those  
7 defendants added in the Commission’s Amended Complaint. (Dkt. No. 119.)

8       **WHEREAS**, on June 29, 2022, the Commission filed a Motion to Amend Receivership  
9 Order to extend the existing receivership order to include those defendants added in the  
10 Commission’s Amended Complaint. (Dkt. No. 120.)

11       **WHEREAS**, on July 29, 2022, the Court issued its Order Amending Preliminary  
12 Injunction and Asset Freeze Order, which, *inter alia*, extended the asset freeze imposed by the  
13 Court on April 13, 2022 to those defendants added in the Commission’s Amended Complaint.  
14 (Dkt. No. 206.) The Court’s Order provided for “an allowance for necessary and reasonable  
15 living expenses to be granted only upon good cause shown by application to the Court with  
16 notice and an opportunity for the Commission to be heard.”

17       **WHEREAS**, on July 29, 2022, the Court issued its Order Amending Receivership Order,  
18 which, *inter alia*, extended the receivership previously imposed by the Court to the assets of  
19 those defendants added in the Commission’s Amended Complaint. (Dkt. No. 207.)

20       **WHEREAS**, at the hearing before the Court on July 25, 2022, the Court directed the  
21 parties to discuss any exceptions to the asset freeze regarding living expenses and so as to ensure  
22 the scope of the preliminary injunction was tied to the underlying Ponzi scheme.

23       **WHEREAS**, counsel to the Commission, Receiver, and Defendant Seth Johnson reached  
24 the following agreement as to the release of the *lis pendens*, and jointly provide this proposed  
25 agreement for approval by the Court.  
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1       **WHEREAS**, the Court granted a stipulation regarding Defendant Seth Johnson's living  
2 expenses, including the right of the Receiver to record *lis pendens* for certain real property  
3 owned by Defendant.

4       **WHEREAS**, counsel to the Commission, Receiver, and Defendant have reached an  
5 agreement allowing the release of two *lis pendens* recorded in Maricopa County, Arizona  
6 concerning two parcels of real property owned by Defendant. Said properties are located at:

- 7           • 16134 E Pecos Road, Gilbert, Arizona 85295; and
- 8           • 285 South 163rd Street, Gilbert, Arizona 85296.

9       **WHEREAS**, counsel to the Commission, Receiver, and Defendant agree that the above-  
10 identified properties can be released from the Court's Stay because sufficient assets exist and are  
11 in the possession of Receiver and Defendant's counsel to satisfy any judgment, settlement, fee,  
12 and/or award, including any interest, against Defendant Seth Johnson in this case.

13       **NOW THEREFORE**, counsel for the Commission, Receiver, and Defendant stipulate  
14 and request that the Court lift its Stay as to the two parcels of real property identified herein  
15 owned by Defendant Seth Johnson, and the Receiver is permitted to release the recorded *lis*  
16 *pendens*.

17  
18 Dated: September 13, 2024

**SECURITIES AND EXCHANGE  
COMMISSION**

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20       /s/ Marc Katz  
21       MARC KATZ  
22       Attorney for Plaintiff  
23       Securities and Exchange Commission  
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1 Dated: September 13, 2024

**RECEIVER**

2 /s/ Kara Hendricks  
3 KARA HENDRICKS  
4 *Attorney for Receiver*

5  
6 Dated: September 13, 2024

**DEFENDANT SETH JOHNSON**

7 /s/ David C. Clukey  
8 DAVID C. CLUKEY  
9 *Attorney for Defendant Seth Johnson*

10 Based on the parties' stipulation, the stay is lifted as to the two parcels of real property  
11 identified herein owned by defendant Seth Johnson, and the Receiver is permitted to release  
12 the recorded lis pendens.

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CRISTINA D. SILVA  
UNITED STATES DISTRICT JUDGE

16 DATED: September 16, 2024  
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